

# SENATE BILL No. 149

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-22-1.

**Synopsis:** Sale of abandoned vehicles. Modifies the bureau of motor vehicle's payment procedures for towing and storage of abandoned vehicles. Establishes a maximum towing fee of \$100 and a \$25 per day storage fee for abandoned vehicles.

**Effective:** July 1, 2003.

**Bowser**

January 7, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## SENATE BILL No. 149

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 9-22-1-28 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 28. (a) This section  
3 applies to sales of abandoned vehicles by the bureau.  
4 (b) The proceeds from the sale of abandoned vehicles or parts shall  
5 be deposited in the abandoned vehicle fund to be established by the  
6 bureau after allocation for towing and storage charges **as described in**  
7 **subsections (c), (d), and (e).**  
8 (c) **Subject to subsection (g), the maximum amount that the**  
9 **bureau may pay for normal towing service of an abandoned vehicle**  
10 **is one hundred dollars (\$100). The bureau may pay claims for more**  
11 **than one hundred dollars (\$100) if the claim is presented in writing**  
12 **and outlines the unusual circumstances and services provided.**  
13 (d) **Subject to subsection (g), the maximum amount that the**  
14 **bureau may pay for storage of an abandoned vehicle is twenty-five**  
15 **dollars (\$25) per day for a maximum of thirty (30) days. For**  
16 **purposes of this subsection, the bureau shall calculate the number**  
17 **of days a vehicle is in storage from the day the vehicle is towed to**



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1 the storage facility or released from a police hold.

2 (e) In paying claims out of the proceeds of the sale of an  
3 abandoned vehicle, payment of claims for towing of the abandoned  
4 vehicle shall be given priority over the payment of other claims.

5 ~~(e)~~ (f) At the end of a state fiscal year, money deposited by the  
6 bureau in excess of thirty-seven thousand dollars (\$37,000) shall be  
7 transferred from the abandoned vehicle fund to the motor vehicle  
8 highway fund account.

9 (g) The bureau may pay more for normal towing service of an  
10 abandoned vehicle than the amount set forth in subsection (c) or  
11 may pay more for storage of an abandoned vehicle than the  
12 amount set forth in subsection (d) if the maximum amount payable  
13 is increased in rules adopted under section 29 of this chapter.

14 SECTION 2. IC 9-22-1-29 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 29. (a) The bureau may  
16 adopt rules under IC 4-22-2 to administer this chapter, including the  
17 following:

18 (1) Rules to increase, with the approval of the commission, the  
19 maximum amount that the bureau may pay for normal towing  
20 services described in section 28(c) of this chapter.

21 (2) Rules to increase, with the approval of the commission, the  
22 maximum amount that the bureau may pay for storage  
23 charges of an abandoned vehicle described in section 28(d) of  
24 this chapter.

25 (b) The bureau shall adopt rules under IC 4-22-2 to establish the  
26 guidelines for determining the estimated value of the vehicles.

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